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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,320	07/25/2005	Birger Hansson	5822.315USWO	1474
23552	7590	06/10/2009	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			CULLER, JILL E	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/521,320	<b>Applicant(s)</b> HANSSON ET AL.
	<b>Examiner</b> JILL E. CULLER	<b>Art Unit</b> 2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09 March 2009.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-9 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-9 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 18 November 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-146/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date: _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,299,495 to Schoeps et al. in view of U.S. Patent No. 5,040,457 to Lin and U.S. Patent No. 3,788,273 to Tusch et al.

With respect to claim 1, Schoeps et al. teaches a method for keeping a number of spray nozzles, 7, in a printing press spray beam clean, wherein air with a certain flow rate is supplied to covers, each separate cover surrounding spray nozzles and having an opening for a spray cone from the spray nozzle, wherein the air flow rate is controlled by means of a throttling device connected to each separate cover, and wherein the air flow is low enough not to disturb the spray from the nozzle. See column 3, lines 21-24 and column 4, lines 19-23 and lines 54-59.

As discussed in previous rejections, Schoeps et al. is silent with respect to the number of nozzles assigned to each cover device, however it is reasonable to assume from the disclosure of Schoeps et al. that a cover might readily be used with a single nozzle or with a plurality of nozzles. Additionally, Tusch et al. teaches it is known in the prior art to have a plurality of spray nozzles which are covered by a single cover, see Fig. 5, or which each have an individual cover, see Fig. 10.

Given these teachings, it would have been obvious to one having ordinary skill in the art at the time of the invention that Schoeps et al. could be provided with a plurality of nozzles which each have an individual cover in order to more specifically control the output of each nozzle.

Schoeps et al. does not explicitly teach that the opening is constructed to not disturb the spray from the nozzle. Although the term disturb has a broad definition, it is acknowledged that Schoeps et al. teaches the openings are covered by screens and therefore one having ordinary skill in the art would likely consider the spray to be disturbed as it passed through these screens.

Lin teaches spray nozzles in a printing press spray beam wherein an opening for a spray cone from the spray nozzle is constructed so as not to disturb the spray from the nozzle. See column 3, lines 4-19 and Fig. 2.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the spray nozzles of Schoeps et al. to have openings which do not disturb the spray from the nozzle, as taught by Lin, in order to allow the spray to leave the spray beam more smoothly.

With respect to claim 2, Schoeps et al. teaches a device for keeping a number of spray nozzles, 7, in a printing press spray beam clean, each spray nozzle being surrounded by a cover comprising an opening for a spray cone from the spray nozzle, wherein each cover is connected to air flow control means, each air flow control means

comprising a throttling device that restricts the air flow enough to leave the spray cone undisturbed. See column 3, lines 21-24 and column 4, lines 19-23 and lines 54-59.

As discussed in previous rejections, Schoeps et al. is silent with respect to the number of nozzles assigned to each cover device, however it is reasonable to assume from the disclosure of Schoeps et al. that a cover might readily be used with a single nozzle or with a plurality of nozzles. Additionally, Tusch et al. teaches it is known in the prior art to have a plurality of spray nozzles which are covered by a single cover, see Fig. 5, or which each have an individual cover, see Fig. 10.

Given these teachings, it would have been obvious to one having ordinary skill in the art at the time of the invention that Schoeps et al. could be provided with a plurality of nozzles which each have an individual cover in order to more specifically control the output of each nozzle.

Schoeps et al. does not explicitly teach that the opening is constructed to not disturb the spray from the nozzle. Although the term disturb has a broad definition, it is acknowledged that Schoeps et al. teaches the openings are covered by screens and therefore one having ordinary skill in the art would likely consider the spray to be disturbed as it passed through these screens.

Lin teaches spray nozzles in a printing press spray beam wherein an opening for a spray cone from the spray nozzle is constructed so as not to disturb the spray from the nozzle. See column 3, lines 4-19 and Fig. 2.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the spray nozzles of Schoeps et al. to have openings which do not disturb the spray from the nozzle, as taught by Lin, in order to allow the spray to leave the spray beam more smoothly.

With respect to claims 3 and 4, Schoeps et al. teaches that the opening in the cover has the form of a slot and each cover is provided with a drainage hole. See column 4, lines 54-66 and Fig. 1.

With respect to claim 5, Schoeps et al. teaches an external air conduit, 17, connected to the covers. See column 3, lines 54-56.

With respect to claim 8, Schoeps et al. teaches each cover is formed as a short sleeve connected to a spray valve cap and having an end plate, 12, 13, attached to its end remote from the spray nozzle, the end plate being provided with the opening. See column 3, lines 27-38 and Fig. 2.

With respect to claim 9, Schoeps et al. teaches a method for keeping a number of spray nozzles, 7, in a printing press spray beam clean, comprising providing an overpressure environment around each spray nozzle in a spray beam having a plurality of spray nozzles by providing a cover in connection with an air conduit wherein air flow is controlled by a throttling device, and generating a spray cone from each spray nozzle which passes through an opening in the cover. See column 3, lines 21-24 and column 4, lines 19-23 and lines 54-59.

As discussed in previous rejections, Schoeps et al. is silent with respect to the number of nozzles assigned to each cover device, however it is reasonable to assume

from the disclosure of Schoeps et al. that a cover might readily be used with a single nozzle or with a plurality of nozzles. Additionally, Tusch et al. teaches it is known in the prior art to have a plurality of spray nozzles which are covered by a single cover, see Fig. 5, or which each have an individual cover, see Fig. 10.

Given these teachings, it would have been obvious to one having ordinary skill in the art at the time of the invention that Schoeps et al. could be provided with a plurality of nozzles which each have an individual cover in order to more specifically control the output of each nozzle.

Schoeps et al. does not explicitly teach that the opening is constructed to not disturb the spray from the nozzle. Although the term disturb has a broad definition, it is acknowledged that Schoeps et al. teaches the openings are covered by screens and therefore one having ordinary skill in the art would likely consider the spray to be disturbed as it passed through these screens.

Lin teaches spray nozzles in a printing press spray beam wherein an opening for a spray cone from the spray nozzle is constructed so as not to disturb the spray from the nozzle. See column 3, lines 4-19 and Fig. 2.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the spray nozzles of Schoeps et al. to have openings which do not disturb the spray from the nozzle, as taught by Lin, in order to allow the spray to leave the spray beam more smoothly.

3. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schoeps et al. in view of Lin and Tusch et al., as applied to claims 1-5 and 8-9 above, and further in view of U.S. Patent No. 2,448,226 to Marsden.

Schoeps et al., Tusch et al. and Lin teach all that is claimed, as in the above rejection of claims 1-5 and 8-9, except that a spray valve for the spray nozzle is provided with an internal air conduit and an air bore connected to the cover, wherein the air bore has such a diameter that a throttling effect is obtained.

Marsden teaches a spray valve for a spray nozzle, G, provided with an internal air conduit, 45, and an air bore, 46, connected to the cover, wherein the air bore has such a diameter that a throttling effect is obtained. See column 4, lines 45-62 and Fig. 3.

It would have been obvious to one having ordinary skill in the art at the time of the invention to further modify the apparatus of Schoeps et al. to have the internal air conduit and air bore of Marsden in order to better control the direction of the air flow into the cover.

#### ***Response to Arguments***

4. Applicant's arguments filed March 9, 2009 have been fully considered but they are not persuasive.

Applicant's arguments with respect to individual covers for each nozzle have been considered but are moot in view of the new ground(s) of rejection. Although the teachings of Schoeps et al. do not exclude individual covers for single nozzles, Tusch et al. clearly provides such a teaching.

In response to applicant's argument that modifying Schoeps et al. would destroy the teachings of providing a uniform moisture distribution on the cylinder, Lin is also concerned with providing a uniform distribution of moisture on a cylinder and therefore the two references, seeking to solve the same problem, should be readily combined to achieve the advantages of each of the inventions, as discussed in the above rejection.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JILL E. CULLER whose telephone number is (571)272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

/Jill E. Culler/  
Primary Examiner, Art Unit 2854